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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,847	03/10/2004	Anthony Levas	728-241 (YOR920030583US1)	6373
28249 7590 06/15/2007 DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. SUITE 702 UNIONDALE, NY 11553			EXAMINER JACKSON, JAKIEDA R	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 06/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/797,847	Applicant(s) LEVAS ET AL.	
	Examiner Jakieda R. Jackson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 4, 8, 12, 16, 21 and 25 are objected to because of the following informalities:

- Regarding claims 4, 12 and 21, "present(ing) sub-class information of the class said input command identified", should be worded properly, for a more clear understanding.
- Regarding claims 8, 16, 25, "presenting/presents through said output system further information of the class or sub-class said input command identified", should be worded properly, for a more clear understanding.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-26** are rejected under 35 U.S.C. 102(e) as being anticipated by

Kovesdi et al. (PGPUB 2003/0155413), hereinafter referenced as Kovesdi.

Regarding **claims 1, 9 and 18**, Kovesdi discloses a method, system and computer program, hereinafter referenced as a method for presenting and browsing information, comprising the steps of:

classifying the information into a plurality of classes and sub-classes, each class having at least one sub-class (winter/summer; column 4, paragraph 0039 and column 5, paragraph 0054); and

presenting the plurality of classes of information to a user (display; column 4, paragraph 0045 and column 13, paragraph 0095-0096).

Regarding **claims 2, 10 and 19**, Kovesdi discloses a method further comprising the step of interactively controlling the presentation of the sub-classes (column 8, paragraph 0075 and column 13, paragraph 0095-0096).

Regarding **claims 3, 11 and 20**, Kovesdi discloses a method further comprising the step of directional tagging said classified information for spatial presentation (tags; column 4, paragraph 0039 with column 6, paragraph 0060-0062),

wherein each class is audibly presented from a different position in space based on the directional tagging (tag; column 4, paragraph 0039 with column 6, paragraph 0060-0062).

Regarding **claims 4, 12 and 21**, Kovesdi discloses a method wherein the interactively controlling step includes the steps of:

receiving an input command from the user, said input command containing information identifying a position in space from which a class was presented (objects in the proximity/location determination; column 7, paragraph 0064); and

presenting sub-class information of the class said input command identified (column 8, paragraph 0075 and column 13, paragraph 0095-0096).

Regarding **claims 5, 13 and 22**, Kovesdi discloses a method wherein the input command is received through a spoken command from the user (speech recognizer; column 6, paragraph 0059 with column 7, paragraph 0064).

Regarding **claims 6, 14 and 23**, Kovesdi discloses a method wherein the input command is received through an input device having means for determining a direction to which a user points (objects in the proximity/location determination; column 7, paragraph 0064 with GPS; column 4, paragraphs 0040-0041 and column 13, paragraph 0098).

Regarding **claims 7, 15 and 24**, Kovesdi discloses a method wherein the input command is received through an electrical or mechanical input device (inputting information; columns 4-5, paragraph 0046 and column 12, paragraph 0089).

Regarding **claims 8, 16 and 25**, Kovesdi discloses a method wherein the interactively controlling step includes the steps of:

receiving an input command from the user, said input command containing information identifying a class or sub-class (column 39, paragraphs 0039-;0040) and presenting further information of the class or sub-class said input command identified (objects in the proximity/location determination; column 7, paragraph 0064).

Regarding **claim 26**, Kavesdi discloses a method wherein the input command is received through at least one of a speech recognition system, an input device having

means for determining a direction to which a user points and a standard computer input device (speech recognizer; column 6, paragraph 0059 with column 7, paragraph 0064).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cesar et al. (USPN 6,172,596) disclose a system, method and apparatus for identifying and communicating with a plurality of types of radio frequency communication devices.
- Krukowski et al. (PGPUB 2002/0121986) disclose a method and system for identifying an object and announcing a voice message.
- Goldberg (USPN 6,526,158) discloses a method and system for obtaining person-specific images in a public venue.
- Hidaka et al. (PGPUB 2002/0017992) disclose an article identifying system.
- Ellis (USPN 5,973,618) disclose an intelligent walking stick.
- Moore et al. (USPN 5,917,174) disclose a device for assisting the visually impaired in product recognition and related methods.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571-272-7619. The examiner can normally be reached on Monday, Tuesday and Thursday 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ
June 5, 2007


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER